

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Alan K. Schaer**

Reissue Serial No: **10/601,288**

Examiner: **Lee S. Cohen**

Filing Date: **June 20, 2003**

Group Art Unit: **3739**

For: **EP CATHETER**

Conf. No. 1511

REQUEST FOR REFUND OF OFFICIAL FEES
ERRONEOUSLY CHARGED BY PTO

Office of Finance
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Duane Morris LLP and its attorneys respectfully request a refund of official fees erroneously charged by the PTO in this application to Duane Morris' Deposit Account No. 04-1679. At the time of the charges, the authorization to charge the account had been superseded by a successor attorney's directions to charge a different deposit account, or in any event the charges were no longer authorized.

Specifically, the undersigned requests that a refund in the amount of \$435.00 be credited to Deposit Account 04-1679, representing the sum of:

- \$125 for independent claims in excess of three (Fee Code 2201) charged February 16, 2012;
- \$250 for independent claims in excess of three (Fee Code 2201) charged March 26, 2012; and
- \$60 for claims in excess of twenty (Fee Code 2202) charged on March 26, 2012. The total of \$435 should be credited to said Deposit Account 04-1679.

The subject patent application was handled by Duane Morris attorneys up until 2007. The attorney currently representing this application is:

Edward J. Lynch (Registration No. 24,422)
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Attorney Lynch was formerly employed by Duane Morris but left the firm some years ago. While at the firm, official fees in this application were charged through the firm's Deposit Account 04-1679. A blanket authorization was made to charge any underpayments or credit any overpayments, which was proper at the time.

But Mr. Lynch departed Duane Morris, and apparently continues to represent this application. The correspondence address in the file was changed to his new office address. Directions were made to charge a different deposit account (believed to be Deposit Account No. 50-4358). In communications to the Patent Office after Mr. Lynch's departure from Duane Morris, he provided authorization to charge official fees including a blanket authorization to charge underpayments and/or credit overpayments, to Mr. Lynch's deposit account. This superseded authorizations in the case to charge the deposit accounts of his previous firm(s).

It appears that the Patent Office erroneously charged \$435.00 to outdated Deposit Account No. 04-1679 when the charge authorization in the application had been superseded by directions to charge a different Deposit Account 50-4358. Accordingly, it is requested that \$435.00 be credited to Deposit Account No. 04-1679.

Mr. Lynch is being advised of this request for refund.

Respectfully submitted,

Dated: April 12, 2012

/Stephan Gribok/
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